

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN	§	
CITIZENS, <i>et al.</i> ,	§	
<i>Plaintiffs,</i>	§	Case No. 3:21-cv-00259
	§	[Lead Case]
V.	§	
	§	
GREG ABBOTT, <i>et al.</i> ,	§	
<i>Defendants.</i>	§	

**NOTICE OF STATE DEFENDANTS' DEPOSITION COUNTER DESIGNATIONS AND OBJECTIONS
TO PLAINTIFFS' DEPOSITION DESIGNATIONS**

Defendants Gregory W. Abbott, in his official capacity as Governor of Texas, and Jane Nelson, in her official capacity as Texas Secretary of State ("State Defendants"), in response to Plaintiffs' proffered deposition designations filed on May 7, 2025 (ECF 962), respectfully submit the following counter-designations of deposition testimony, objections to Plaintiffs' Deposition Designations, and a written objection to NAACP Plaintiffs' witness, Dr. Monica Munoz Martinez.

State Defendants offer this testimony by deposition pursuant to Federal Rule of Civil Procedure 32(a)(3) and (4) because the witnesses are adverse parties, are located more than 100 miles from the place of trial, or could not attend or testify because of age, illness, or infirmity.

State Defendants reserve the right to amend or supplement these designations and objections in response to designations or testimony that Plaintiffs may offer at trial. Should any of the witnesses whose testimony is designated herein testify live during the remainder of trial, State Defendants ask the Court to consider those witnesses' deposition designations to be withdrawn.

Further, State Defendants intend to waive no privilege in these designations. To the extent any designated testimony is protected by the legislative privilege, or any other privilege, such designation is inadvertent, and State Defendants will withdraw such designations should they become aware of the privilege.

Last, State Defendants incorporate by reference all testimony, both live testimony and testimony made via trial depositions, offered at the Preliminary Injunction hearing that took place from January 25, 2022 to January 28, 2022 and offer that testimony as support in addition to the below designations. Further, State Defendants offer this testimony to supplement its Deposition Designations filed on May 7, 2025, and First Amended Deposition Designations, filed on May 8, 2025, and to the extent necessary, incorporate those designations by reference.

Consequently, State Defendants offer the following objections and cross-designations:

OBJECTION TO NAACP PLAINTIFFS’ DESIGNATION OF DR. MONICA MUNOZ MARTINEZ AS A WITNESS

State Defendants hereby object to NAACP Plaintiffs’ objection of Dr. Monica Munoz Martinez. Dr. Martinez was not designated as an individual with knowledge of NAACP Plaintiffs’ claims. Nor was Dr. Martinez cross-designated by any other Plaintiff as a witness to appear at trial. *See* Fed. R. Civ. P. 37(c)(1) (“If a party fails to . . . identify a witness as required by Rule 26(a) or (e), the party is not allowed to use that . . . witness to supply evidence . . . at a trial, unless the failure was substantially justified or is harmless.”). Dr. Martinez’s testimony should therefore be excluded, and NAACP Plaintiffs should not be allowed to call her as a witness.

COUNTER-DESIGNATIONS:

Witness Name, Deposition Date	Page:Line(s)
Jeffrey Archer, September 23, 2022	29:1-30:25, 53:28-55:17
Mark Bell July 7, 2022	103:25
Sen. Paul Bettencourt Jully 29, 2022	53:15-55:25, 121:5-121:18, 129:10-129:17
Sen. Brian Birdwell August 18, 2022	26:13-27:4, 31:6-36:25, 41:21-42:10, 43:17-46:11, 63:18-65:10, 67:22-68:23

Witness Name, Deposition Date	Page:Line(s)
Rep. Bradley Buckley July 18, 2022	29:15-32:8, 32:22-33:2, 66:11-68:5, 157:3-159:14, 160:19-161:20, 164:1-164:25, 223:13-224:5, 255:3-255:11, 256:15-257:18
Chris Gober July 12, 2022	79:4-81:7, 81:19-83:22
Rep. Ryan Guillen June 29, 2022	99:16-116:18
Sen Kelly Hancock, June 23, 2022	19:14-19:21, 27:8-27:17, 27:21-28:4, 28:8-28:12, 29:3-29:15, 35:10-35:14, 59:22-59:24, 62:4-62:10, 71:20-71:24, 75:13-75:18, 75:22-75:24, 76:1-76:5, 76:7-76:9, 78:22-79:1, 83:18-84:7, 90:10-90:13, 90:15-90:25, 93:13-16-, 132:2-133:8, 145:13-145:20, 168:11-168:21
Rep. Dan Huberty, June 6, 2022	11:4-11:9, 23:1-23:17, 29:19-30:5, 31:15-31:22, 36:1-36:25, 37:1-37:17, 48:25-49:4
Willie Hudspeth, October 12, 2022	38:23-38:25, 39:1-39:25, 40:1-40:25, 41:1-41:25, 42:4-42:9, 42:14-42:25, 43:1-43:25, 44:1-45:1, 48:7-48:9, 72:18-72:25, 73:1-94:25, 120:3-120:9, 123:10-123:15, 128:13-128:16, 134:15-135:9
Rep. Todd Hunter, October 11, 2022	28:19-28:21, 28:23-29:5
US Rep. Sheila Jackson Lee, August 2, 2022	8:11-8:19, 9:2-9:10, 13:22-14:10, 14:14-14:15, 22:5-22:14, 28:6-29:20, 39:14-40:25, 41:19-42:12, 42:24-43:3, 44:20-46:19, 46:21-46:21, 47:20-47:23, 47:25-47:25, 118:24-123:19, 124:21-125:23, 125:25-126:6, 145:17-145:23, 145:25-146:16, 148:9-149:9, 213:9-214:10
June Jenkins, August 23, 2022	7:7-7:10, 10:2-11:6, 15:12-16:22, 28:12-28:18, 42:5-42:12, 52:6-52:12, 58:20-59:1, 62:2-62:25
Adam Kincaid, November 2, 2023	50:9-51:14, 87:7-89:20, 106:9-109:6, 133:24-135:8, 135:13-136:21, 144:11-149:20, 169:6-170:15, 175:6-178:9, 217:23-220:13, 234:6-236:16, 237:25-238:25, 261:2-261:6, 292:13-295:7, 337:19-338:10
Milton Lee, January 20, 2023	12:2-12:16, 14:22-14:24, 15:9-16:21, 34:15-34:22, 35:11-35:19, 42:21-42:25, 43:1-43:7, 43:11-43:13, 43:17-43:19, 51:4-52:21, 54:10-54:14, 55:8-55:12, 59:2-59:19, 63:16-64:20, 64:25-65:17, 66:22-68:1, 82:17-82:20, 83:20-84:25, 85:1-85:8, 85:24-86:8, 112:22-113:5, 113:23-114:15, 68:19-69:14, 75:25-76:1, 78:21-79:15, 79:24-80:17, 113:18-114:15

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Rep. J.M. Lozano, July 12, 2022	75:6-75:9, 76:10-76:22, 80:12-80:24, 82:18-82:20, 83:10-86:1
Rep. Jon Lujan, June 23, 2022	42:14-43:9, 58:19-59:17, 62:15-62:20, 63:10-63:18, 64:1-64:7, 64:21-65:3, 67:13-67:15, 67:22-68:2, 81:24-82:2, 84:1-84:13, 86:11-87:7, 160:24-161:3, 161:11-161:19, 163:14-163:23, 168:21-169:4, 172:11-173:7, 173:14-173:23, 191:16-191:23, 196:7-196:15, 196:23-197:17
Anne Mackin, July 11, 2022	24:2-24:8, 29:21, 29:25-30:1, 240:16-240:22, 258:14-259:10
Rep. Andrew Murr, June 22, 2022	10:13-10:21, 20:13-20:25, 21:1-21:15, 21:23-24:9, 24:13-25:22, 38:6-38:11, 42:17-46:13, 70:4-70:11, 70:17-71:4, 71:8-74:20, 81:15-81:18, 94:16-94:20, 97:25-99:4, 101:19-101:18, 106:6- 106:13, 142:13-142:17
Rep. Andrew Murr, October 12, 2022	10:6-10:8, 14:19-14:21, 15:4-15:6
Sean Opperman, July 13, 2022	144:21-145:3, 145:9-145:12, 155:7-155:11, 155:18-155:20, 218:5-219:10, 297:20-297:22
Chris Turner, January 14, 2022	10:06-11:08, 14:8-16:11, 18:21-19:12, 21:8-21:24, 22:8-23:11, 24:1-24:11, 24:20, 26:4, 27:8-28:13, 28:22-29:17, 30:17-30:25, 31:12-32:12, 32:23-40:8, 41:1-41:11, 45:4-45:12, 50:19-51:9, 51:19-51:23, 53:19-54:14, 59:17-60:7, 63:13-64:4, 64:22-67:10, 73:13-73:18, 74:2-75:25, 76:7-79:4, 82:1-82:3, 83:13-83:23
Harold VanArsdale, August 24 2022	24:23-25:18, 30:16-30:23, 32:25-33:24, 36:13-36:25, 38:2- 38:11, 38:12-38:14, 43:6-43:22, 44:19-45:3, 45:24-46:6, 46:11- 46:21, 56:8-56:12, 57:23-58:6, 63:21-64:14, 65:21-65:5, 69:19- 70:6, 70:24-71:8, 71:19-72:10, 73:8-74:4, 74:24-75:18, 76:8- 77:22, 81:2-81:18, 81:24-82:18, 83:6-83:9, 84:9-84:20, 84:25- 85:15, 86:2-87:15, 94:5-95:25

OBJECTIONS TO PLAINTIFFS' DESIGNATIONS:

State Defendants' objections to Plaintiffs' Deposition Designations are listed in **Exhibit 1** to this filing. State Defendants incorporate by reference each objection laid out in **Exhibit 1**.

Date: May 16, 2025

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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed and served electronically (via CM/ECF) on May 16, 2025.

/s/ Kathleen T. Hunker
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